

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ICONIX, INC.,

Case No. 06-02201 SBA (JCS)

Plaintiff(s),

v.

**ORDER REGARDING DISCOVERY AND  
PRELIMINARY INJUNCTION  
SCHEDULING**

LANCE TOKUDA, ET AL,

Defendant(s).

A discovery conference was held on May 16, 2006. Kenneth A. Kuwayti and Sue Vaughn, counsel for Plaintiff, appeared. I. Neel Chatterjee and Michael A. Aparicio, counsel for Defendants, appeared.

IT IS HEREBY ORDERED THAT:

1. The parties shall enter into a stipulation to be presented to Judge Armstrong with a proposed schedule for discovery, briefing and hearing on Plaintiff's Motion for Preliminary Injunction.
2. Discovery is open as of May 16, 2006.
3. The parties shall continue to meet-and-confer pursuant to Rule 26(f) and provide a report to the Court at the conclusion of the conference in accordance with Rule 26(f).
4. Before filing any future discovery motions, lead trial counsel for Plaintiff and lead trial counsel for Defendants shall meet and confer **in person** regarding the subject matter of the Motions in an effort to resolve these matters. After attempting other means to confer on the issue (i.e. letter, phone, e-mail) any party may demand such an in person meeting on ten (10) business days notice. The location of the meeting will alternate with the first location selected by counsel for Plaintiff, the second by counsel for Defendant, etc. Within five (5) business days of the lead trial counsels'

1 meet-and-confer session, the parties shall provide a detailed Joint Letter to the Court. This Joint  
2 Letter shall include a description of every issue in dispute and, with respect to each such issue, a  
3 detailed summary of each party's final substantive position and their final proposed compromise on  
4 each issue. Upon receipt of the Joint Letter, the Court will then determine what future proceedings  
5 are necessary.

6 IT IS SO ORDERED.

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8 Dated: May 19, 2006

  
9 JOSEPH C. SPERO  
10 United States Magistrate Judge  
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